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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted With Initial Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	
First Named Inventor	Colin Murgatroyd
COMPLETE IF KNOWN	
Application Number	
Filing Date	
Art Unit	
Examiner Name	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Performance Monitoring in a Communications Network

(Title of the Invention)

the specification of which:

is attached hereto

OR

was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? Yes	Certified Copy Attached? No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DC NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: Customer Number: OR Correspondence address below

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

A petition has been filed for this unsigned inventor

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(first and middle [if any]) Colin

Family Name

or Surname Murgatroyd

Inventor's Signature

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NAME OF SECOND INVENTOR:

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Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB 02A or 02LR attached hereto.

PATENT/DOCKET NO. _____
CUSTOMER NO. _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

§ Attorney Docket No. _____

Serial No.: n/a

§

Filed: Herewith

§

Group Art Unit: n/a

Title: Performance Monitoring in a
Communications Network

§

Examiner: n/a

§

§

Commissioner for Patents
Washington, D.C. 20231

POWER OF ATTORNEY FOR
PATENT APPLICATION

Nortel Networks Limited, a Canadian corporation having principal offices at:

Nortel Networks Limited
2351 Boulevard Alfred-Nobel
St. Laurent, Quebec H4S 2A9, Canada

the owner by assignment of the entire right, title and interest to the invention for Performance Monitoring in a Communications Network, by Colin Murgatroyd and Chris Ramsden and in and to the application for patent and any Letters Patent, whether domestic or foreign, that may issue thereon, by virtue of the assignment (check as applicable):

- Recorded Concurrently Herewith
- Recorded on _____
- Recorded at Reel _____ Frame _____
- Copy Attached

herby appoints the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Thomas E. Smith (Reg. No. 18,243), Dennis M. McWilliams (Reg. No. 25,195), James R. Sweeney (Reg. No. 18,721), William M. Lee, Jr. (Reg. No. 26,935), Glenn W. Ohlson, (Reg. No. 28,455), David C. Brezina (Reg. No. 34,123), Jeffrey R. Gray (Reg. No. 33,391), Timothy J. Engling (Reg. No. 39,970), Gerald S. Geren (Reg. No. 24,528), Peter J. Shakula (Reg. No. 40,808), Robert F.I. Conte (Reg. No.

20,354), Howard B. Rockman (Reg. No. 22,190), Mark J. Nahnsen (Reg. No. 51,093),
Mark A. Hagedorn (Reg. No. 44,731);

its attorneys with full power of substitution and revocation, to prosecute all domestic and foreign patent applications, including PCT and EPO filings, relating to said invention and to transact all business connected therewith, including signing of all papers on its behalf and making alterations and amendments.

The undersigned is the representative for the Assignee of the entire right, title, and interest in the patent application identified above, and is authorized to act on behalf of the Assignee.



23 Jan 2004

Date

NORTEL NETWORKS LIMITED

D. HERMELÉ

Name:

PATENT ASSOCIATE

Title